



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

April 16, 2014

BY ELECTRONIC MAIL

Stan Kaczmarek
Project Coordinator
demaximis, inc.
186 Center Street, Suite 290
Clinton, NJ 08809

Re: RM 10.9 Removal Action - Daily Schedule Updates and Sample Collection Notification
Diamond Alkali, Lower Passaic River Study Area
Administrative Settlement Agreement and Order on Consent for Removal Action,
U.S.EPA Region 2 CERCLA Docket No. 02-2012-2015

Dear Mr. Kaczmarek:

This letter serves to reiterate the U.S. Environmental Protection Agency's ("EPA") request that a daily schedule update prepared pre-shift should be provided to EPA and our contractors regarding the on-going activities at RM10.9 pursuant to Administrative Settlement Agreement and Order on Consent for Removal Action, CERCLA Docket No. 02-2012-2015 ("AOC"). This request was initially made in an email from Mike Hoppe to you dated April 9, 2014. EPA is requesting these daily schedule updates to ensure the Agency and our contractors, in our oversight capacity, are kept informed of the schedule for on-going activities in a timely and consistent manner. In addition, we are requesting advance notification of sampling as described below.

As you aware, EPA and our contractors were not present during the core sample collection activities on April 9, 2014. It is EPA's position that our oversight contractors were not present due to a lack of communication and last minute rescheduling on behalf of the Cooperating Partner Group's ("CPG") contractors. Consistent with AOC Section VIII, Paragraph 23, Settling Parties shall notify EPA no less than 14 days in advance of any sample collection activity unless shorter notice is agreed to by EPA.

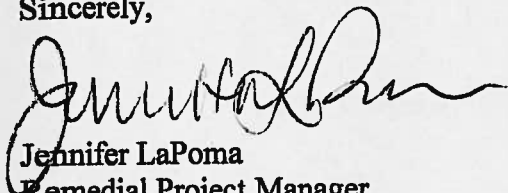
In an effort to avoid any further disruptions to our oversight, EPA is hereby outlining a plan in which notification shorter than 14 days may be provided to EPA in advance of the remaining sample collection activities. Beginning as of the date of this letter, please provide EPA and our oversight contractors a minimum of two hours' advance notification of sample collection activities during normal business hours (8 a.m. through 5 p.m.) on Mondays through Fridays.

If sample collection activities are anticipated to take place outside of 8 a.m. through 5 p.m. hours or on a Saturday or Sunday, please provide EPA and our contractors with a minimum of eight hours notification.

It is EPA's expectation that the submittal of daily schedule updates and the aforementioned advance notification of sampling will be helpful in minimizing communication and schedule discrepancies for the remainder of the removal activities at RM10.9. We anticipate and look forward to your cooperation in this matter.

Please feel free to call me and/or Mike Hoppe if you wish to discuss EPA's recommendations further.

Sincerely,



Jennifer LaPoma
Remedial Project Manager
U.S. Environmental Protection Agency – Region 2
290 Broadway
New York, NY 10007-1866

Cc:

J. Rolfe (de maximis)
R. Law (de maximis)
M. Hoppe (EPA)
S. Flanagan (EPA)
P. Hick (EPA)